

**SEC. 3. GRANTS; MATCHING FUNDS.**

Section 104(c) of the Water Resources Research Act of 1984 (42 U.S.C. 10303(c)) is amended by striking "one non-Federal dollar" and all that follows through "thereafter" and inserting "2 non-Federal dollars for every 1 Federal dollar".

**SEC. 4. GENERAL AUTHORIZATIONS OF APPROPRIATIONS.**

Section 104(f)(1) of the Water Resources Research Act of 1984 (42 U.S.C. 10303(f)(1)) is amended by striking "of \$10,000,000 for each of the fiscal years ending September 30, 1989, through September 30, 1995," and inserting "of \$5,000,000 for fiscal year 1996, \$7,000,000 for each of fiscal years 1997 and 1998, and \$9,000,000 for each of fiscal years 1999 and 2000".

**SEC. 5. AUTHORIZATION OF APPROPRIATIONS FOR RESEARCH FOCUSED ON WATER PROBLEMS OF INTERSTATE NATURE.**

The first sentence of section 104(f)(1) of the Water Resources Research Act of 1984 (42 U.S.C. 10303(g)(1)) is amended by striking "of \$5,000,000 for each of the fiscal years 1991, 1992, 1993, 1994, and 1995" and inserting "of \$3,000,000 for each of fiscal years 1996 through 2000".

**SEC. 6. COORDINATION.**

Section 104 of the Water Resources Research Act of 1984 (42 U.S.C. 10303) is amended by adding at the end the following:

"(h) COORDINATION.—

"(1) IN GENERAL.—To carry out this Act, the Secretary—

"(A) shall encourage other Federal departments, agencies (including agencies within the Department of the Interior), and instrumentalities to use and take advantage of the expertise and capabilities that are available through the institutes established by this section, on a cooperative or other basis;

"(B) shall encourage cooperation and coordination with other Federal programs concerned with water resources problems and issues;

"(C) may enter into contracts, cooperative agreements, and other transactions without regard to section 3709 of the Revised Statutes (41 U.S.C. 5);

"(D) may accept funds from other Federal departments, agencies (including agencies within the Department of the Interior), and instrumentalities to pay for and add to grants made, and contracts entered into, by the Secretary;

"(E) may promulgate such regulations as the Secretary considers appropriate; and

"(F) may support a program of internships for qualified individuals at the undergraduate and graduate levels to carry out the educational and training objectives of this Act.

"(2) REPORT.—The Secretary shall report to Congress annually on coordination efforts with other Federal departments, agencies, and instrumentalities under paragraph (1).

"(3) RELATIONSHIP TO STATE RIGHTS.—Nothing in this Act shall preempt the rights and authorities of any State with respect to its water resources or management of those resources."

The committee amendment was agreed to.

The bill (H.R. 1743) was deemed read the third time and passed.

Mr. CHAFEE. Mr. President, today the Senate considers H.R. 1743, a bill to reauthorize the Water Resources Research Act of 1984, as amended. This legislation was adopted unanimously by the House of Representatives on October 17, 1995. With the strong support of Senators KEMPTHORNE, THOMAS, and REID, the Committee on Environment and Public Works approved the measure with an amendment on March 28 of this year.

The legislation, which enjoys broad bipartisan support, extends the authorization for the State Water Resources

Research Institutes for 5 years. Fifty-four of these institutes have been established at land grant universities in each of the 50 States, Washington, DC, and 3 of the territories.

These institutes are a primary link between the academic community, the water-related research and regulatory personnel in our State and Federal agencies, and various interests in the private sector. The institutes provide a mechanism for promoting State, regional, and national coordination of water resources research and training. They also serve as a network to facilitate research coordination and information transfer. Their programs are coordinated with the general guidance of the Secretary of the Interior.

Mr. President, this is a popular program because research from the water institutes is often directed at finding solutions to particular water problems at the local or regional level. Research results from the program are often applied to real-world problems in water management. In my own State, the University of Rhode Island's Water Resources Center has used this program to further ground water resources management and protection, wetlands preservation, and the understanding of the effects of air pollutant deposition on lakes and streams.

Nationally, this program is designed to address water resource management problems such as: the abundance and quality of water supplies, the sources of water contaminants and methods of remediation, and the training of research scientists, engineers, and technicians. In addition to continuing the general authority for the institutes, this bill extends authorization for the awarding of funds for research projects.

Mr. President, let me conclude by explaining the authorization of appropriations made in this bill. The 1984 act authorized \$10 million annually to cover all general water resources research for the institutes. H.R. 1743, as approved by the House and reported by the committee, authorizes the institutional grants program at lower levels. Beginning with fiscal year 1996, \$5 million is authorized. For fiscal years 1997 and 1998, \$7 million is authorized. For fiscal years 1999 and 2000, \$9 million is authorized. This provides the institutional grant program with a 5-year authorization total of \$37 million.

Finally, the Committee on Environment and Public Works unanimously adopted an amendment offered by Senator THOMAS to add funding for research focused exclusively on water problems of an interstate nature. For interstate research, the bill authorizes \$3 million for each of the fiscal years 1996 through 2000, for a total of \$15 million.

Mr. President, the Water Resources Research Program authorized by H.R. 1743 is a cost-effective program. Costs of operating the program are shared with non-Federal interests. The program provides valuable research that is useful to State and local water man-

agers throughout the Nation. This program has given us years of valuable service and I urge my colleagues to support H.R. 1743.

**THE TRINITY RIVER BASIN FISH AND WILDLIFE MANAGEMENT REAUTHORIZATION ACT OF 1996**

The bill (H.R. 2243) to amend the Trinity River Basin Fish and Wildlife Management Act of 1984, to extend for 3 years the availability of moneys for the restoration of fish and wildlife in the Trinity River, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

Mr. CHAFEE. Mr. President, H.R. 2243, a bill to reauthorize and amend Public Law 98-541, the 1984 Trinity River Restoration Program, is a truly bipartisan piece of legislation. Introduced by Representative RIGGS, H.R. 2243 passed the House by a vote of 412 to 0 on December 12, 1995. The bill would extend funding authority for Trinity River basin restoration programs through fiscal year 1998. In addition, H.R. 2243 would expand the management plan to aid in the resumption of commercial and recreational fishing, and increase the task force by five members to include representatives from commercial and recreational fishing interests, two native American tribes, and the timber industry. The administration supports H.R. 2243.

To date, restoration efforts in the Trinity River basin have included the modernization of the Lewiston hatchery, the construction of the Buckhorn Debris Dam, sediment collection pools in the Grass Valley Creek, and the purchase of 17,000 acres of highly erodible land in the Grass Valley Watershed. Other habitat restoration efforts are underway to encourage natural fish spawning and rearing, including replacement of spawning gravel below the Lewiston Dam, reestablishment of meander channels, dredging of pools in the Trinity River, and feather-tapering the river's edges.

Reauthorization of Public Law 98-541 will continue the restoration of the Grass Valley Creek Watershed, control sediment on tributary watersheds, restore the South Forks Trinity River fish habitat, and implement a wildlife management program. These efforts will contribute to rebuilding the populations of salmon and trout, which are important to commercial, recreational, and tribal fishing interests.

**THE WATER DESALINIZATION RESEARCH AND DEVELOPMENT ACT OF 1996**

The Senate proceeded to consider the bill (S. 811) to authorize research into the desalinization and reclamation of water and authorize a program for States, cities, or qualifying agencies desiring to own and operate a water desalinization or reclamation facility to develop such facilities, and for other

purposes, which had been reported from the Committee on Environment and Public Works, with an amendment to strike all after the enacting clause and inserting in lieu thereof the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Water Desalinization Research and Development Act of 1996".

#### SEC. 2. DECLARATION OF POLICY.

In view of the increasing shortage of usable surface and ground water in many parts of the United States and the world, it is the policy of the United States to—

(1) perform research to develop low-cost alternatives for desalinization of saline water and reclamation of nonusable nonsaline water to provide water of a quality suitable for environmental enhancement, agricultural, industrial, municipal, and other beneficial consumptive or nonconsumptive uses; and

(2) provide, through cooperative activities with local sponsors, desalinization and water reclamation processes and facilities that provide proof-of-concept demonstrations of advanced technologies for the purpose of developing and conserving the water resources of this Nation and the world.

#### SEC. 3. DEFINITIONS.

In this Act:

(1) **DESALINIZATION.**—The term "desalinization" means the use of any process or technique (by itself or in conjunction with other processes or techniques) for the removal and, when feasible, adaptation to beneficial use, of organic and inorganic elements and compounds from saline water.

(2) **NONUSABLE NONSALINE WATER.**—The term "nonusable nonsaline water" means water that is not saline water but, because it contains biological or other impurities, is not usable water.

(3) **RECLAMATION.**—The term "reclamation" means the use of any process or technique (by itself or in conjunction with other processes or techniques) for the removal and, when feasible, adaptation to beneficial use, of organic and inorganic elements and compounds from nonusable nonsaline water.

(4) **SALINE WATER.**—The term "saline water" means sea water, brackish water, and other mineralized or chemically impaired water.

(5) **SPONSOR.**—The term "sponsor" means a local, State, or qualifying agency responsible for the sale and delivery of usable water that has the legal authority and financial capability to provide the financial and real property requirements needed for a desalinization or reclamation facility.

(6) **UNITED STATES.**—The term "United States" means the States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States.

(7) **USABLE WATER.**—The term "usable water" means water of a high quality suitable for environmental enhancement, agricultural, industrial, municipal, and other beneficial consumptive or nonconsumptive uses.

#### SEC. 4. RESEARCH AND DEVELOPMENT.

(a) **IN GENERAL.**—In order to gain basic knowledge concerning the most efficient means by which usable water can be produced from saline or nonusable nonsaline water, the Secretary of the Interior, in consultation with the Secretary of the Army, shall conduct a basic research and development program under this section.

(b) **CONTENTS OF PROGRAM.**—For the basic research and development program, the Secretary of the Interior shall—

(1) conduct, encourage, and promote fundamental scientific research and basic studies to develop the best and most economical processes and methods for converting saline water and nonusable nonsaline water into usable water through research grants and contracts—

(A) to conduct research and technical development work;

(B) to make studies in order to ascertain the optimum mix of investment and operating costs;

(C) to determine the best designs for different conditions of operation; and

(D) to investigate increasing the economic efficiency of desalinization or reclamation processes by using the processes as dual-purpose co-facilities with other processes involving the use of water;

(2) study methods for the recovery of byproducts resulting from the desalinization or reclamation of water to offset the costs of treatment and to reduce the environmental impact from those byproducts; and

(3) prepare a management plan for conduct of the research and development program established under this section.

(c) **COORDINATION WITH OTHER AGENCIES.**—

(1) **IN GENERAL.**—The Secretary of the Interior shall conduct activities under this section in coordination with—

(A) the Department of Commerce, specifically with respect to marketing and international competition; and

(B)(i) the Departments of Defense, Agriculture, State, Health and Human Services, and Energy;

(ii) the Environmental Protection Agency;

(iii) the Agency for International Development; and

(iv) other concerned public and private entities.

(2) **OTHER AGENCIES.**—In addition to the agencies identified in paragraph (1), other interested agencies may furnish appropriate resources to the Secretary of the Interior to further the activities in which such other agencies are interested.

(d) **AVAILABILITY OF RESEARCH.**—All research sponsored or funded under this section shall be carried out in such a manner that information, products, processes, and other developments resulting from Federal expenditures or authorities shall (with exceptions necessary for national defense and the protection of patent rights) be available to the general public.

(e) **RELATIONSHIP TO ANTITRUST LAWS.**—Section 10 of the Federal Nonnuclear Energy Research and Development Act of 1974 (42 U.S.C. 5909) shall apply to the activities of persons in connection with grants and contracts made by the Secretary of the Interior under this section.

#### SEC. 5. DESALINIZATION DEVELOPMENT PROGRAM.

(a) **IN GENERAL.**—The Secretary of the Interior and the Secretary of the Army shall jointly—

(1) conduct a desalinization development program; and

(2) in connection with the program, design and construct desalinization facilities.

(b) **SELECTION OF DESALINIZATION DEVELOPMENT FACILITIES.**—

(1) **APPLICATION.**—A sponsor shall submit to the Secretary of the Interior and Secretary of the Army an application for the design and construction of a desalinization facility and certification that the sponsor will provide the required cost sharing.

(2) **SELECTION.**—Facilities shall be selected subject to availability of Federal funds.

(c) **COST SHARING.**—

(1) **INITIAL COST.**—The initial cost of a facility shall include—

(A) design costs;

(B) construction costs;

(C) lands, easements, and rights-of-way costs; and

(D) relocation costs.

(2) **MINIMUM SPONSOR SHARE.**—The sponsor for a facility under the desalinization development program shall pay, during construction, at least 25 percent of the initial cost of the facility, including providing all lands, easements, and rights-of-way and performing all related necessary relocations.

(3) **MAXIMUM FEDERAL SHARE.**—The Secretary of the Interior and Secretary of the Army shall

pay not more than \$10,000,000 of the initial cost of a facility.

(d) **OPERATION AND MAINTENANCE.**—Operation, maintenance, repair, and rehabilitation of a desalinization facility shall be the responsibility of the sponsor of the facility.

(e) **REVENUE.**—All revenue generated from the sale of usable water from a desalinization facility shall be retained by the sponsor of the facility.

#### SEC. 6. MISCELLANEOUS AUTHORITIES.

In carrying out sections 4 and 5, the Secretary of the Interior and the Secretary of the Army may—

(1) accept technical and administrative assistance from a State or other public entities and from private persons in connection with research and development activities relating to desalinization and reclamation of water;

(2) enter into contracts or agreements stating the purpose for which the assistance is contributed and, in appropriate circumstances, providing for the sharing of costs between the Secretary and such entities or persons;

(3) make grants to educational and scientific institutions;

(4) contract with educational and scientific institutions and engineering and industrial firms;

(5) by competition or noncompetitive contract or any other means, engage the services of necessary personnel, industrial and engineering firms, and educational institutions;

(6) use the facilities and personnel of Federal, State, municipal, and private scientific laboratories;

(7) contract for or establish and operate facilities and tests to conduct research, testing, and development necessary for the purposes of this Act;

(8) acquire processes, data, inventions, patent applications, patents, licenses, lands, interests in land and water, facilities, and other property by purchase, license, lease, or donation;

(9) assemble and maintain domestic and foreign scientific literature and issue pertinent bibliographical data;

(10) conduct inspections and evaluations of domestic and foreign facilities and cooperate and participate in their development;

(11) conduct and participate in regional, national, and international conferences relating to the desalinization of water;

(12) coordinate, correlate, and publish information that will advance the development of the desalinization of water; and

(13) cooperate with Federal, State, and municipal departments, agencies, and instrumentalities, and with private persons, firms, educational institutions, and other organizations, including foreign governments, departments, agencies, companies, and instrumentalities, in effectuating the purposes of this Act.

#### SEC. 7. DESALINIZATION CONFERENCE.

(a) **ESTABLISHMENT.**—The President is requested to instruct the Administrator of the Agency for International Development to sponsor an international desalinization conference within 1 year after the date of enactment of this Act.

(b) **PARTICIPANTS.**—Participants in the conference under subsection (a) should include scientists, private industry experts, desalinization experts and operators, government officials from the nations that use and conduct research on desalinization, and government officials from nations that could benefit from low-cost desalinization technology (particularly nations in the developing world), and international financial institutions.

(c) **PURPOSE.**—The conference under subsection (a) shall—

(1) explore promising new technologies and methods to make affordable desalinization a reality in the near term; and

(2) propose a research agenda and a plan of action to guide longer-term development of practical desalinization applications.

(d) FUNDING.—

(1) AID FUNDS.—Funding for the conference under subsection (a) may come from operating or program funds of the Agency for International Development.

(2) OTHER NATIONS.—The Agency for International Development shall encourage financial and other support from other nations, including those that have desalinization technology and those that might benefit from such technology.

#### SEC. 8. REPORTS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Secretary of the Interior, in consultation with the Secretary of the Army, shall prepare a report to the President and Congress concerning the administration of this Act.

(b) CONTENTS.—A report under subsection (a) shall describe—

(1) the actions taken by the Secretary of the Interior and the Secretary of the Army during the calendar year preceding the year in which the report is submitted; and

(2) the actions planned for the following calendar year.

#### SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

(a) RESEARCH AND DEVELOPMENT.—There are authorized to be appropriated to carry out section 4—

(1) \$5,000,000 for fiscal year 1997; and

(2) \$7,500,000 for each of fiscal years 1998 through 2001.

(b) DESALINIZATION DEVELOPMENT PROGRAM.—There are authorized to be appropriated to carry out section 5 such sums as are necessary, up to a total of \$40,000,000 for the period consisting of fiscal years 1997 through 2001, of which 50 percent shall be made available to the Department of the Interior and 50 percent shall be made available to the civil works program of the Army Corps of Engineers.

The committee amendment was agreed to.

The bill (S. 811) was deemed read the third time and passed.

Mr. CHAFEE. Mr. President, today the Senate has passed S. 811, the Water Desalinization and Research and Development Act. This legislation, which was approved by the full Senate in both 1992 and 1994, is sponsored by Senators SIMON, REID, MACK, and others.

Very briefly, Mr. President, S. 811 authorizes an expanded U.S. research and development program with the goal of producing lower cost desalinization technologies. The bill assigns primary program responsibility to the Department of the Interior, in coordination with the Army Corps of Engineers.

In addition to the basic research and development program, S. 811 authorizes the development of experimental desalination facilities and requires the Agency for International Development to host a conference for countries either currently using or planning to use desalinization technologies.

Mr. President, in the face of growing domestic water shortages, as well as strategic international concerns, this legislation is designed to increase the U.S. commitment to developing more economical desalinization technology.

S. 811, as reported, authorizes \$5 million in fiscal year 1997 for the basic research and development at the Interior Department; \$7.5 million is authorized for this purpose in each of fiscal years 1998 through 2001, for a 5-year total of \$35 million.

For the facility development program, \$40 million is authorized for fis-

cal years 1997 through 2001. I note that the total authorization for appropriations in this bill is \$20 million less than the \$95 million provided in the bill as introduced.

I thank Senator SIMON and the others who support this bill for working with us to reduce the authorization levels. Based upon the very limited amount of discretionary funding that will be available over the next 5 to 7 years, we have no choice but to do more with less in this area.

#### AMAGANSETT NATIONAL WILDLIFE REFUGE

Mr. COHEN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 378, H.R. 1836.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 1836) to authorize the Secretary of the Interior to acquire property in the town of East Hampton, Suffolk County, New York, for inclusion in the Amagansett National Wildlife Refuge.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. D'AMATO. Mr. President, I rise today in support of H.R. 1836 which will allow for the protection of New York's rarest plant species, the sandplain gerardia—also a federally endangered species—and six other rare plants while offering New Yorkers with spectacular recreational opportunities. I was happy to cosponsor identical legislation, S. 1422, which was introduced by my friend and colleague Senator MOYNIHAN. This bill will authorize the U.S. Fish and Wildlife Service to purchase a parcel of land on the South Fork of Long Island known as Shadmoor.

The Shadmoor property is a one-half mile stretch of sand, plants, and wildlife habitat fronted by 70-foot cliffs that reminded early settlers of the English moors. It is not only home to a number of rare and endangered plants, but also a wetland visited by several species of migratory birds. Also, the property is of interest to history buffs, as the property contains several bunkers constructed for the defense of America's coastline during World War II. It is truly a unique area that many will agree needs to be maintained.

Currently, this beachfront land with its wonderful vistas and serene beauty is threatened by development. However, because of the need to protect the sandplain gerardia, in order to provide for the habitat for migratory birds, and for the recreational opportunities it affords to all New Yorkers, it is an area that must be given proper and prompt consideration. This bill achieves these goals by allowing for the acquisition of this land for the purposes of preserving it for generations to come.

In addition, an amendment to this bill will make a technical correction in

the maps of the Coastal Barrier Resources System [COBRA]. This amendment is identical to S. 1352 which I introduced earlier this year with my friend and colleague Senator MOYNIHAN. In addition, Congressman FORBES introduced similar legislation, H.R. 2005, which passed the House of Representatives on October 30, 1995.

Mr. President, the administration testified in support of the correction contained in this amendment before the Oceans, Fisheries, and Wildlife Subcommittee of the House Committee on Resources. The Department of the Interior's Fish and Wildlife Service acknowledges that it was in error when it designated part of the Point O' Woods community on Fire Island in New York as part of an otherwise protected area. This legislation directs the Secretary of the Interior to correct this error and thereby allow the residents of the Point O' Woods community to participate in the National Flood Insurance Program [NFIP]. It will ease community efforts to relocate houses away from high erosion zones and allow the community to practice effective coastal barrier management.

The Federal Government actively encourages participation in the NFIP in order to minimize taxpayer costs in the event of a natural disaster. The technical correction made by this amendment will rectify a longstanding error and provide all eligible citizens with the opportunity to protect their homes with flood insurance.

I thank Senator MOYNIHAN, Senator CHAFEE, the members of their respective staffs, and especially the staff of the Senate Committee on Environmental and Public Works for working so diligently to ensure the passage of this important legislation.

AMENDMENT NO. 3957

(Purpose: To direct the Secretary of the Interior to make technical corrections to a map relating to the coastal Barrier Resources System)

Mr. COHEN. Mr. President, I understand there is an amendment at the desk offered by Senators MOYNIHAN and D'AMATO. I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Maine [Mr. COHEN], for Mr. MOYNIHAN, for himself, and Mr. D'AMATO, proposes an amendment numbered 3957.

Mr. COHEN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the end of the bill, add the following:

#### SEC. 2. CORRECTIONS TO COASTAL BARRIER RESOURCES MAP.

(a) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Secretary of the Interior shall make such corrections to the map described in subsection (b) as are necessary—

(1) to move the eastern boundary of the excluded area covering Ocean Beach, Seaview,